

Chimp is not a Mensch, Says Court Panel

by Lorna Salzman (January 2015)




Credit: Alex Prager for The New York Times: Animatronic chimpanzee.

As animal rights activists protested, a New York State judicial panel ruled that Tommy, an adult chimp (*Pan troglodytes*) living in upstate New York, does not have the same rights as a human being (*Homo sapiens sapiens*).

Adding insult to injury, Justice Karen Peters of the Appellate Division of the State Supreme Court, was quoted by the *New York Times* as saying that apes' "lackadaisical approach to civic life" justified depriving them of the rights afforded to "most people reading this article."

The chimp's defenders, led by the Florida-based Nonhuman Rights Project, charged that Tommy was being unlawfully detained. His companion-owners disagreed, saying that Tommy was well cared for, had many toys, access to outdoors, and also to cable TV. "He's never complained", said his owner.

The court, however, pointed out that Tommy has never voted, paid taxes, separated  recyclables from his regular garbage, or participated in any social network. Based on DNA evidence, it said that the 1.5% difference between chimp and human DNA indicated a far greater gap in social awareness than this small percentage difference indicated.

Justice Peters deplored the absence of legal responsibilities and societal duties and said that these were evidence that nonhuman primates did not deserve equal rights with *Homo sapiens sapiens*.

The animal rights community was not appeased and said it was determined to close the homo-chimp divide as a way of remedying what they deemed the widespread species-ism that has infected the American populace. Said PETA: "The profiling, disenfranchisement and mistreatment of our cousin species is responsible for the oppression and brutality suffered by chimps for decades." Other groups pointed out law enforcement discrimination which targets CWF individuals (Climbing While Furry).

Some protesters held up signs decrying the Zoo-Industrial Complex and the widening of the

species divide. A radical fringe group calling itself Simian-Sapiens Love says it plans to prepare legislation that would allow Inter-Species Marriage. All the groups agreed on the need for an inter-species movement to heal the society-wide gap that has oppressed other species.

One observer, however, noted that unlike similar protests elsewhere over related issues, the protesters in this case did not go on the rampage and destroy pet stores or zoos.

Said another: "We are not saying that all owners of companion-pets are species-ists. But we intend to brainwash –er, educate – them so they will come to understand their complicity and enter into a peaceful inter-species dialogue that we hope will end in the release of these pets into their natural environment rather than living out their lives in warm, safe, comfortable human dwellings where they don't have to hunt for food or hide from carnivorous predators."

Meanwhile, in Argentina animal lovers are celebrating an opposing decision that declared orangutans equal to humans and ordered a zoo to release them from captivity. But some creationists expressed alarm at this decision.

"The designation of orangutans as deserving human rights is a frightening example of creeping evolutionism that denies the uniqueness of the human species. While chimpanzees share 98.5% of human DNA, orangutans share only 97%. If this trend continues down to lower primates, we could end up with gorillas, macaque monkeys and maybe eventually even lemurs and tarsiers tying up our court system for years and adding to the already bloated public welfare boondoggle."

The Creation Institute added that assimilation into human society of the slow loris, a relative of the tarsiers, could threaten public safety; it secretes a dangerous toxin which they mix with their saliva, contact with which can cause anaphylactic shock and death.

Lorna Salzman's career as an environmental activist and writer began when the late David Brower hired her to be the regional representative of Friends of the Earth in NYC. Later she worked as an editor on *National Audubon's American Birds* magazine and as director of Food & Water, an early opponent of food irradiation, and then spent three years as a natural resource specialist in the NYC Dept. of Environmental Protection. She co-founded the New York Green Party in 1984 and in 2004 she sought the U.S. Green Party's presidential nomination. She is

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